

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

DECISION AND ORDER  
00-CR-189A

JAMES CHARLES KOPP,

Defendant.

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Currently before the Court are the following motions of defendant James Charles Kopp: (1) motion to reinstate defendant's motion to suppress statements made by the defendant to the media and in state court; (2) motion for reconsideration of the Court's Decision and Order filed December 7, 2006, granting the government's motion in limine to preclude the defendant from offering a defense of justification, necessity or duress at trial; (3) motion to attach exhibits to defendant's previous motion to dismiss; and (4) motion in limine to reconsider the Court's ruling on defendant's motion to dismiss the indictment on the grounds of overcharging.

The Court denies the defendant's motion to reinstate his previous motion to suppress. On May 23, 2006, the defendant withdrew his motion to suppress and waived his right to make such a motion.

The Court also denies the defendant's motion for reconsideration of the Court's December 7<sup>th</sup> Decision and Order granting of the government's

motion in limine to preclude the defendant from offering a defense of justification, necessity or duress at trial. Defendant has presented no new grounds that would cause the Court to reconsider its decision.

The Court grants defendant's motion to attach exhibits to his previous motion to dismiss.

Finally, the Court denies defendant's motion in limine to reconsider the Court's ruling on defendant's motion to dismiss the indictment on the grounds of overcharging, for the same reasons stated by the Court in its December 7<sup>th</sup> Decision and Order.

IT IS SO ORDERED.

/s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: December 21, 2006